

V. REMARKS

Entry of the Amendment is proper under 37 C.F.R. §1.116 because the Amendment: a) places the application in condition for allowance for the reasons discussed herein; b) does not raise any new issue requiring further search and/or consideration because the Amendment amplifies issues previously discussed throughout prosecution; c) does not present any additional claims without canceling a corresponding number of finally rejected claims; and d) places the application in better form for appeal, should an Appeal be necessary. The Amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. The amendments to the subject claims do not incorporate any new subject matter into the claims. Thus, entry of the Amendment is respectfully requested.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as unpatentable over Neumann (U.S. Patent No. 3,839,129). The rejection is respectfully traversed.

Neumann teaches an injected molded thermoplastic article that includes an integral mirror surface. The mirror surface includes a smooth foil that has a substrate layer that is integrally formed with the injected molded thermoplastic article during injection molding of it. A smooth and clear protective layer is bonded to the substrate layer. Also, a smooth and bright metallized layer is disposed between the protective layer and a substrate layer. The protective layer and the bright metallized layer are smoothed during injection molding of the article so that they cooperate to reflect visible light thereby providing a mirror surface.

Claim 1, as amended, is directed to a sparkling laminate film comprised of a sparkling laminate film body including a transparent surface substrate, a metal vapor deposited layer structure comprised of a first vapor deposited layer of an alloy consisting essentially of nickel, chromium, molybdenum and tungsten formed on a back surface of the transparent surface substrate and a second vapor deposited layer of chromium or chromium alloy successively formed on a back surface of the first vapor deposited layer, and a backing material integrally laminated with the second vapor deposited layer through an adhesive layer.

Claim 2, as amended, is directed to a sparkling laminate film comprised of a sparkling laminate film body including a transparent surface substrate, a metal vapor deposited layer structure comprised of a first vapor deposited layer of an alloy consisting essentially of nickel, chromium, molybdenum and tungsten formed on a back surface of the transparent surface substrate and a second vapor deposited layer of titanium or titanium alloy successively formed on a back surface of the first vapor deposited layer, and a backing material integrally laminated with the second vapor deposited layer through an adhesive layer.

Claim 3, as amended, is directed to a sparkling laminate film comprised of a sparkling laminate film body including a transparent surface substrate, a metal vapor deposited layer structure comprised of a first vapor deposited layer of an alloy consisting essentially of nickel, chromium, molybdenum and tungsten formed on a back surface of the transparent surface substrate and a second vapor deposited layer of nickel or nickel alloy successively formed on a back surface of the first vapor deposited layer, and a backing material integrally laminated with the second vapor deposited layer through an adhesive layer.

Claims 1, 2 and 3 recite that the transparent surface substrate has a transparent surface substrate thickness in an approximate range of 15 and 100 μm , the first vapor deposited layer has a first vapor deposited layer thickness of at least 50 \AA , the second vapor deposited layer has a second vapor deposited layer thickness of at least 150 \AA and the metal vapor deposited layer structure has a metal vapor deposited layer structure thickness being a total of the first vapor deposited layer thickness and the second vapor deposited layer thickness in an approximate range of 200 to 750 \AA .

It is respectfully submitted that the applied art fails to teach or suggest the features of claims 1, 2 and 3, as amended. Specifically, it is respectfully submitted that the applied art fails to teach or suggest that the transparent surface substrate has a transparent surface substrate thickness in an approximate range of 15 and 100 μm , the first vapor deposited layer has a first vapor deposited layer thickness of at least 50 \AA , the second vapor deposited layer has a second vapor deposited layer thickness of at least 150 \AA and the metal

vapor deposited layer structure has a metal vapor deposited layer structure thickness being a total of the first vapor deposited layer thickness and the second vapor deposited layer thickness in an approximate range of 200 to 750Å. Thus, it is respectfully submitted that one of ordinary skill in the art would not be motivated to combine the features of the applied art because such combination would not result in the claimed invention. As a result, it is respectfully submitted that claims 1, 2 and 3 are allowable over the applied art.

Claims 5-7 depend from independent claims 1, 2 and 3 and include all of the features of independent claims. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reasons the independent claims are allowable as well as for the features they recite.

Claim 4 is canceled and therefore the rejection as applied thereto is now moot.

Withdrawal of the rejection is respectfully requested.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as unpatentable over Kurfman (U.S. Patent No. 4,510,208). The rejection is respectfully traversed.

Kurfman discloses a duplex metal/organic polymer multilayer composite structure that includes at least one normally solid, formable thermoplastic polymer layer, a first normally solid metal layer and a second normally solid metal layer. The polymer layer has a forming temperature in degrees Kelvin, a first planar surface and a second planar surface with the first and second planar surfaces being generally parallel to each other. The first normally solid metal layer is intimately adhered to at least one planar surface of the polymer layer. The first metal layer is formed from an alloy of two or more metals. The first metal layer has a thickness within the range of from 0.01 micrometers to 0.5 micrometers and the alloy melts at a temperature or over a range of temperatures that is within a temperature range of from about 85 to about 150 percent of the forming temperature of the thermoplastic polymer layer. The second metal layer is intimately adhered to the first metal layer. The second metal layer is formed from a metal or an alloy of two or more metals that melts at

a temperature or over a range of temperatures which is lower than that at which, or over which, melting of the metal alloy of the first metal layer occurs.

For the reasons set forth above, it is respectfully submitted that the applied art fails to teach or suggest the features of claims 1, 2 and 3, as amended and discussed above. Thus, it is respectfully submitted that one of ordinary skill in the art would not be motivated to modify the features of the applied art because the applied art is devoid of such features. As a result, it is respectfully submitted that claims 1, 2 and 3 are allowable over the applied art.

Claims 5-7 depend from independent claims 1, 2 and 3 and include all of the features of independent claims. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reasons the independent claims are allowable as well as for the features they recite.

As mentioned above, claim 4 is canceled.

Withdrawal of the rejection is respectfully requested.

Claim 8 includes features not shown in the applied art. Claim 8, in effect, combines the features of claims 1 (as amended), 4, 5 and 6. No new matter has been introduced and no further search or consideration is necessary to appropriately examine new claim 8.

Further, Applicants assert that there are also reasons other than those set forth above why the pending claims are patentable. Applicants hereby reserve the right to submit those other reasons and to argue for the patentability of claims not explicitly addressed herein in future papers.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

By:


David T. Nikaido
Reg. No. 22,663

Carl Schaukowitch
Reg. No. 29,211

RADER, FISHMAN & GRAUER PLLC
1233 20th Street, N.W. Suite 501
Washington, D.C. 20036
Tel: (202) 955-3750
Fax: (202) 955-3751
Customer No. 23353

Enclosure(s): Amendment Transmittal

DC223011.DOC